

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **EXPRESSION OF FRUCTOSE 1,6 BISPHOSPHATE ALDOLASE IN TRANSGENIC PLANTS**, the Specification of which was filed on **June 16, 1998** as Application Serial No. **09/098,219**.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims.

We acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

We hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIORITY APPLICATION(S)			Priority Claimed
60/049,995 (Number)	U.S.A. (Country)	June 17, 1997 (Date Filed)	Yes Yes/No

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose all information known to us to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application: **NONE**.

We hereby direct that all correspondence and telephone calls be addressed to:

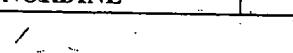
Vikki Meriwether, Paralegal
ARNOLD, WHITE & DURKEE
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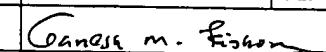
WE HEREBY DECLARE THAT ALL STATEMENTS MADE OF OUR OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE

US Serial No. 09/098,219
Declaration

STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

Inventor's Full Name:	GERARD	F.	BARRY
Inventor's Signature:			
Country of Citizenship:	Ireland	Date: July 21, 1998	
Residence Address: (street, number, city, state, and/or country)	5555 Pershing Avenue, No. 2E St. Louis, Missouri 63112 United States of America		
Post Office Address: (if different from above)			

Inventor's Full Name:	NORDINE		CHEIKH
Inventor's Signature:			
Country of Citizenship:	United States of America	Date: July 22, 1998	
Residence Address: (street, number, city, state, and/or country)	721 Foxwick Drive Manchester, Missouri 63011 United States of America		
Post Office Address: (if different from above)			

Inventor's Full Name:	GANESH	M.	KISHORE
Inventor's Signature:			
Country of Citizenship:	United States of America	Date: July 21, 1998	
Residence Address: (street, number, city, state, and/or country)	5354 Grantley Drive Chesterfield, Missouri 63017	11966 Sackston Ridge Dr. Creve Coeur, Missouri 63141 GAK 7/21/98	
Post Office Address: (if different from above)			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	
Gerard Barry	§	Group Art Unit:
Nordine Cheikh	§	
Ganesh Kishore	§	
Serial No.:	§	Examiner:
Filed: Concurrently herewith	§	Attorney Docket No.:
For: EXPRESSION OF FRUCTOSE 1,6	§	11899.0086.DVUS02
BIPHOSPHATE ALDOLASE IN TRANSGENIC PLANTS	§	Client code 38-21(13512)D

**CORRESPONDENCE ADDRESS
ELECTION UNDER 37 C.F.R. §§ 3.71 and 3.73
AND POWER OF ATTORNEY**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please direct all communications as follows:

Patricia A. Kammerer
HOWREY SIMON ARNOLD & WHITE, LLP
750 Bering Drive
Houston, Texas 77057
(713) 787-1400

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints:

T. K. Ball, Reg. No. 42,287; George R. Beck, Reg. No. 21,180; Gary M. Bond, Reg. No. 29,283; Grace L. Bonner, Reg. No. 32,963; Alissa M. Eagle, Reg. No. 37,126; Christopher E. Flick, Reg. No. 42538; Dennis R. Hoerner, Jr., Reg. No. 30,914; Thomas E. Kelley, Reg. No. 29,938; Lawrence M. Lavin, Jr., Reg. No. 30,768; E. Clifford Lawson, Reg. No. 46860; Thomas P. McBride, Reg. No. 32,706; Michael J. Roth, Reg. No. 29,342; Joseph A. Schaper, Reg. No. 30,493; Donna E. Scherer, Reg. No. 34,719; Brian K. Stierwalt, Reg. No. 33,213; and Martha J. Yates, Reg. No. 47,194, each an attorney or patent agent with MONSANTO COMPANY, so long as they remain with such company.

HOWREY SIMON ARNOLD & WHITE, LLP

and

John F. Lynch, Reg. No. 22,504; J. Paul Williamson, Reg. No. 29,600; John D. Norris, Reg. No. 28,246; Patricia A. Kammerer, Reg. No. 29,775; Stephen H. Cagle, Reg. No. 26,445; Melinda L. Patterson, Reg. No. 33,062; Susan K. Knoll, Reg. No. 33,254; Janelle D. Waack, Reg. No. 36,300; Michael E. Lee, Reg. No. 38,949; Ira D. Finkelstein, Reg. No. 44,680; Carter J. White, Reg. No. 41,374, Darrell Dotson, Reg. No. 44,661; Connie Flores-Jones, Reg. No. 41,755; Christopher J. Buntel, Reg. No. 44,573; Matthew Madsen, Reg. No. 45,594; Robert Auerbach, Reg. No. 46,525; Raymond Reese, Reg. No. 47,891; and Amy G. Klann, Reg. No. 48,155; each an attorney or patent agent with the law firm of HOWREY SIMON ARNOLD & WHITE, LLP, as its attorney so long as they remain with such law firm,

with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to **MONSANTO TECHNOLOGY LLC** referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Pursuant to MPEP § 324(2), the undersigned avers that he is empowered to sign this statement on behalf of assignee.

ASSIGNEE: MONSANTO TECHNOLOGY LLC

Date: May 31, 2002

By:



Name: Grace L. Bonner
Registration No. 32,963
Title: Intellectual Property Counsel

ASSIGNMENT:



Concurrently filed
Previously Recorded:

Date: 12/12/01
Reel: 012350
Frame: 0224-0225

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Gerard Barry
Nordine Cheikh
Ganesh Kishore

Serial No.:

Confirmation No.:

Filed:

Group Art Unit: 1761

Examiner:

Atty. Dkt. No.: 11899.0086.CNUS03

Continuation of s/n 10/164,204,
filed June 6, 2002

Client File No.: 38-21(13512)E

For: **EXPRESSION OF FRUCTOSE 1,6
BISPHOSPHATE ALDOLASE IN
TRANSGENIC PLANTS**

**ASSOCIATE POWER OF ATTORNEY
AND CHANGE OF CORRESPONDENCE ADDRESS**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, being an attorney of record in the above-identified application hereby appoints Ron J. Laby, Reg. No. 53,173, an agent of the firm of HOWREY SIMON ARNOLD & WHITE, LLP as associate agent for so long as he remains with such firm, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Letters Patent document.

Please direct all future communications regarding this application as follows

Ron J. Laby
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Respectfully submitted,



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ATTORNEY FOR ASSIGNEE
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Date: Nov 11, 2003